| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/835,663 | 04/16/2001 | Joel M. Wein | 12293-15 | 6020 |

| 50086 7590 09/21/2005 | EXAMINER |
|---|---|
| LAW OFFICE OF DAVID H. JUDSON | ZHONG, CHAD |

| 15950 DALLAS PARKWAY | ART UNIT | PAPER NUMBER |
| SUITE 225 |---|---|
| DALLAS, TX 75248 | 2152 | |

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/835,663 | WEIN ET AL. |
| | Examiner | Art Unit |
| | Chad Zhong | 2152 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *28 June 2005*.

2a)☐ This action is **FINAL**.    2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-39* is/are pending in the application.

    4a) Of the above claim(s) *1-16* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *17-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *6/28/05*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

## DETAILED ACTION

1.      This action is responsive to communications: Amendment, filed on 6/28/2005.

2.      Claims 1-39 are presented for examination.  In amendment B, filed on 6/28/2005:

Claims 1-16 are cancelled.

Claims 17-21, 23-28, and 31 are previously presented.

Claims 22, 29, and 30 are currently amended.

Claims 32-39 are newly added.

Applicant's remarks filed 6/28/2005 have been considered but are moot in view at the new grounds

of rejection necessitated by Applicant's arguments.

3.      The current oath is found defective for the following reasons:

Applicant failed to input priority application number within the oath, proper correction is required.

### *Claim Rejections - 35 USC § 103*

4.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such
> that the subject matter as a whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in
> which the invention was made.

5.      Claims 17-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al.

(hereinafter Gupta), in view of Shobatake et al. (hereinafter Shobatake), US 6,654,607.

6.      As per claim 17, Gupta teaches a method of content delivery operative in a content delivery

network on behalf of participating content providers (Fig 1, wherein annotation server contains

information correspond to each of the different versions of particular multimedia content available to

media server), the content delivery network comprising a set of content servers, and wherein participating

content providers identify given content to be delivered over the content delivery network, comprising:

for a given piece of content, specifying, as metadata, a given content control requirement ([0047]);

communicating the metadata for the given piece of content to the set of content servers ([0047], the

annotation server receives the meta data control information);

at the given content server, applying the given content control requirement specified in the metadata

prior to serving the given piece of content ([0047], [0059], wherein the meta-data and their associated

annotation contents both are stored within the annotation storage structure; when the user wishes to

retrieve annotation information, the content field is accessed and the appropriate annotation information

can be retrieved from the annotation server [0067]).

Gupta does not explicitly teach:

having a participating content provider associate a content provider domain or subdomain with a

domain managed by a content delivery network service provider;

resolving a client query to the content provider domain or subdomain to an IP address of a given

content server in the set of content servers using the domain managed by the content delivery network

service provider.

However, Shobatake teaches the concept of having a participating content provider (Col. 5, lines 10-15,

wherein the provider are the networks 101-104) associate a content provider domain or subdomain with a

domain managed by a content delivery network service provider (the content delivery network service

provider is the unified mobility management network 109, each MMGW 301-304 is associated with an

alias database 305-308, the alias database stores identification information for terminals of other

platforms in a format useable by a home platform, see Col. 5, lines 34-57);

resolving a client query to the content provider domain or subdomain to an IP address of a given

content server in the set of content servers using the domain managed by the content delivery network

service provider (Col. 5, lines 34-57, the alias database available on the content delivery network service

provider resolves a client query). It would have been obvious to the person of ordinary skill in the art at

the time of the invention to combine teachings of Gupta and Shobatake because user terminals querying a

content provider domain with a domain managed by a content delivery network service provider as taught

by Shobatake would enhance the capabilities of Gupta by allowing for handling of communications in a

unified manner.

7.      As per claim 18, Gupta does not explicitly teach the content provider domain or subdomain is

associated with the domain managed by the content delivery network service provider through a DNS

canonical name.

However, Shobatake teaches the concept of a content provider domain or subdomain is associated with

the domain managed by the content delivery network service provider through a DNS canonical name,

(Col. 5, lines 34-57; Col. 7, lines 29-37, the alias database contains identification information for

terminals of other platforms in a format useable by a home platform, thus a phone number to domain

name resolution is possible through the usage of the alias database). It would have been obvious to the

person of ordinary skill in the art at the time of the invention to combine teachings of Gupta and

Shobatake because user terminals querying a content provider domain with a domain managed by a

content delivery network service provider as taught by Shobatake would enhance the capabilities of Gupta

by allowing for handling of communications in a unified manner.

8.      As per claim 19, Gupta does not explicitly teach the metadata is communicated to the set of

content servers in a header. However, it would have been obvious to the person of ordinary skill in the art

at the time of the invention to have placed the meta data contents within a message header because doing

so would reduce the amount of data transmitted in between nodes by encoding the information about the

contents within the headers themselves.

9.      As per claim 20, Gupta teaches the meadata is communicated to the set of content servers in a configuration file ([0082], [0091], wherein the file is the email, users create annotations using email).

10.     As per claim 21, Gupta teaches the configuration file is provisioned via an extranet application (email message is a form of extranet application, [0091], in addition, the invention can operate in Internet and/or WAN environment [0038-0039]).

11.     As per claim 22, Gupta teaches the given content control requirement enforces a given authentication method ([0060]) or a given access control method ([0091], wherein the annotations are user specific within the email delivery environment and content specific, i.e. the annotations are bits and pieces of the entire multimedia file).

12.     As per claim 23, Gupta teaches the metadata is a request metadata component ([0047]).

13.     As per claim 24, Gupta teaches the metadata is a response metadata component ([0091]).

14.     As per claim 30, Gupta teaches the given piece of content is one of: a markup language page, an embedded object of a markup language page, a media file ([0006], annotations are different versions of a multimedia file), and a software download.

15.     As per claim 32, Gupta teaches the metadata is communicated to the set of content servers in one of: a request string ([0047]), a header, and a configuration file ([0091]).

16.     As per claim 25, Gupta teaches a method of content delivery operative in a content delivery network on behalf of participating content providers, the content delivery network comprising a set of content servers, and wherein participating content providers identify given content to be delivered over

the content delivers, network, comprising:

for the given piece of content, specifying, as metadata, a given content control requirement ([0047]);

at the given content server, applying the given content control requirement specified in the metadata

prior to serving the given piece of content ([0047], [0059], wherein the meta-data and their associated

annotation contents both are stored within the annotation storage structure; when the user wishes to

retrieve annotation information, the content field is accessed and the appropriate annotation information

can be retrieved from the annotation server [0067]).

Gupta does not explicitly teach:

having a participating content provider alias a content provider domain to a domain managed by a

content delivery network service provider, wherein the content provider domain is part of a URL

identifying a given piece of content published by the participating content provider;

resolving a client query to the content provider domain to an IP address of a given content server in

the set of content servers using the domain managed by the content delivery network service provider.

However, Shobatake teaches the concept of having a participating content provider (Col. 5, lines 10-15,

wherein the provider are the networks 101-104) alias a content provider domain to a domain managed by

a content delivery network service provider, wherein the content provider domain is part of a URL

identifying a given piece of content published by the participating content provider (the content delivery

network service provider is the unified mobility management network 109, each MMGW 301-304 is

associated with an alias database 305-308, the alias database stores identification information for

terminals of other platforms in a format useable by a home platform, see Col. 5, lines 34-57);

resolving a client query to the content provider domain or subdomain to an IP address of a given

content server in the set of content servers using the domain managed by the content delivery network

service provider (Col. 5, lines 34-57, the alias database available on the content delivery network service

provider resolves a client query). It would have been obvious to the person of ordinary skill in the art at the time of the invention to combine teachings of Gupta and Shobatake because user terminals querying a content provider domain with a domain managed by a content delivery network service provider as taught by Shobatake would enhance the capabilities of Gupta by allowing for handling of communications in a unified manner.

17.     As per claim 26, Gupta teaches the step of communicating the metadata to the set of content servers ([0047]).

18.     As per claim 27, the claim is rejected for the same reasons as rejection to claim 20 above.

19.     As per claim 28, the claim is rejected for the same reasons as rejection to claim 22 above.

20.     As per claim 29, the claim is rejected for the same reasons as rejection to claim 30 above.

21.     As per claim 31, the claim is rejected for the same reasons as rejection to claim 18 above.

22.     As per claim 33, the claim is rejected for the same reasons as rejection to claim 25 above.

23.     As per claim 34-35, the claims are rejected for the same reasons as rejection to claims 32 and 21 above respectively.

24.     As per claim 36-38, the claims are rejected for the same reasons as rejection to claim 22 above.

25.     As per claim 39, the claim is rejected for the same reasons as rejection to claim 30 above.

*Conclusion*

26.    The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "CONTENT DELIVERY NETWORK (CDN) CONTENT SERVER REQUEST HANDLING MECHANISM WITH METADATA FRAMEWORK SUPPORT".

|      |                |              |
|------|----------------|--------------|
| i.   | US 6122648     | Roderick     |
| ii.  | US 6483851     | Yurt et al.  |
| iii. | US 2002/0069113 | Stern       |
| iv.  | US 6,412,073   | Rangan.      |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BURGESS, GLENTON B can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ
September 1st, 2005